In the Supreme Court of the United States

OCTOBER TERM, 1973

No. 73-1499

HAROLD LONGSHORE, ET AL., PETITIONERS

v.

SALUDA COUNTY SCHOOL DISTRICT NO. 1 OF SALUDA COUNTY, SOUTH CAROLINA, ET AL.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

We respectfully invite the Court's attention to the following facts which show that the petition for a writ of certiorari was filed out of time. The judgment of the court of appeals was entered on December 13, 1973. No petition for rehearing was filed in the court of appeals. The time for filing a petition for a writ of certiorari expired on March 13, 1974, and no extension was sought. Since the petition was not filed until April 6, 1974, this Court lacks jurisdiction. 28 U.S.C. 2101(c).

It is therefore respectfully submitted that the petition for a writ of certiorari should be denied.

ROBERT H. BORK,
Solicitor General.

APRIL 1974.